

**DESOTO COUNTY BOARD OF SUPERVISORS**  
**BOARD MEETING MINUTES**

**JESSIE L. MEDLIN, PRESIDENT, PRESIDING**

**August 16, 1999**

**A. CALL TO ORDER**

The August 16, 1999, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Jessie L. Medlin of DeSoto County.

Sheriff James Albert Riley the DeSoto County Sheriff was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

Supervisor Jessie Medlin-----District 1  
Supervisor Eugene C. Thach-----District 2  
Supervisor Jimmy James-----District 3  
Supervisor John Caldwell-----District 4  
Supervisor Tommy Lewis-----District 5  
W. E. "Sluggo" Davis-----Chancery Clerk  
David Armstrong-----County Administrator  
James Albert Riley-----Sheriff of DeSoto County  
William Austin-----Board Attorney

**B. INVOCATION**

The invocation was presented by Supervisor John Caldwell.

**C. OLD BUSINESS**

**1. Highway 301 Park - Batting Cage**

Jim Bearden, Director of Operations and Maintenance, notified the Board of Supervisors that he recommends purchasing the batting cage requested by the Highway 301 Park. Mr. Bearden said that although the batting cage is a little more elaborate than some, he has confirmed that the price is reasonable and there are many benefits associated with this particular batting cage. Supervisor Jimmy James agreed and said that Highway 301 has a new board and they are trying to do a good job.

Supervisor Jimmy James made the motion and Supervisor John Caldwell seconded the motion to approve the purchase of one batting cage at the Highway 301 Park at a cost of \$4,737.00 from Coleman Construction, to be paid from the District 3 Park Fund. The **motion passed** by a unanimous vote. **\*\*See Exhibit C.1.\*\***

**2. Request to Abandon Road - Poplar Corner**

On June 22, 1999, the Board of Supervisors did appoint Supervisor John Caldwell and Supervisor Tommy Lewis as the committee to inspect Poplar Corner road for possible abandonment. The Board of Supervisors took this matter of business up on this date.

**ITEM C.2., CONTINUED,**

Supervisor Jimmy James said that his only concern was that this road is on the section line and future development may require the County to purchase right of way in this area. However, Supervisor James acknowledged that there is not much of a road there at this time therefore, he does not have any problem with abandoning it. Supervisor Tommy Lewis agreed that there is no road there at this time. The Board Attorney, Bill Austin said that we will have to get a description of the road to formally abandon the property.

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to begin the process for abandoning a portion of Poplar Corner road, as authorized in Section 65-7-121 of the Mississippi Code, which states that the Board of Supervisors may, upon its own motion, spread upon its minutes to declare any section of the County road system abandoned under certain circumstances. In this instance, the Board of Supervisors did find that the section of roadway does not provide any primary access to occupied properties; traffic on the section of roadway has, for a period of at least 10 consecutive years, been intermittent and of such low volume that no substantial purpose is being served thereby; for a period of at least the five previous consecutive years the County has not maintained this section of roadway as part of the County road system; and it is the Board's opinion that the public interest or convenience does not require this section to remain open to the public. The **motion passed** by a unanimous vote.

### **3. Appointment - Horn Lake Library Board, District 3**

Supervisor Jimmy James made the motion and Supervisor John Caldwell seconded the motion to hold this issue. The **motion passed** by a unanimous vote. **\*\*See Exhibit C.3.\*\***

### **4. Petition to Adopt Road - Julius**

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to hold this issue. The **motion passed** by a unanimous vote. **\*\*See Exhibit C.4.\*\***

Later in the meeting, Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to approve accepting Julius Road as a County road based on right-of-ways being donated by the adjoining property owners. The **motion passed** by a unanimous vote.

### **5. Request for County Assistance - Meadowbrook Place**

Supervisor Eugene Thach reported to the Board of Supervisors that the State has said that they will be available to work at Meadowbrook Place on or about the second week of September. Supervisor Thach reported that the City of Olive Branch has requested the Board of Supervisors help with the rip rap on the roadway and explained that the drainage problem on this roadway does affect the road and has potential to cause serious problems on the road in the future. Supervisor Thach reiterated that the State is going to fix the road, the City of Olive Branch is going to supply the materials, and the County is to provide some equipment to help with the work

Supervisor Tommy Lewis made the motion and Supervisor Jimmy James seconded the motion to assist the City of Olive Branch and the State of Mississippi to correct drainage problems on Meadowbrook Place for a reasonable period of time. The **motion passed** by a unanimous vote. **\*\*See Exhibit C.5\*\***

**ITEM C.6, CONTINUED,**

## 6. Rezoning - Dogwood Lake PUD

Merritt Powell, Director of the DeSoto County Planning Commission, reminded the Board of Supervisors that the rezoning of Dogwood Lake PUD was held over from the August 4<sup>th</sup> meeting of the Board. Mr. Powell gave a brief detail of the layout and make-up of the subdivision. Mr. Powell said that it was previously recommended that none of the lots exit directly onto Payne Lane. Therefore, the plans have been redrawn by engineer, Ben Smith. Merritt Powell showed changes made to the subdivision to the Board of Supervisors and reported that the street close to Payne Lane, which had extended to Goodman Road has been terminated as a residential cove created as suggested by the Supervisors at the last meeting. Ben Smith told the Board that there is no access to the subdivision from the commercial areas. Mr. Smith reminded the Board of Supervisors they were also concerned about stub outs in the subdivision.

Supervisor Eugene Thach asked how big the houses in the subdivision are. Ben Smith said the smallest houses have 1800 square foot lots and 2000 square foot lots for the bigger lots as shown in the text.

Ben Smith told the Board of Supervisors that there is an existing lagoon that has some excess capacity. Therefore, the developer would like to begin construction of the subdivision using the existing lagoon. Mr. Smith said that the new lagoon will not go in until the third phase of the subdivision. Sam Russell, Deputy Director of the DeSoto County Planning Commission, reported that it was a big point of discussion in the Planning Commission that the lagoon be moved from the Center Hill Road. There was discussion about the sewage treatment options for the existing riding arena which may soon be converted to a church. The intent of the Planning Commission and the Board of Supervisors is that the church and veterinarian clinic remain tied into the sewer treatment lagoon wherever it is located and not to have an individual treatment plant. Mr. Russell reported that when the second lagoon was complete, the first lagoon will be filled in. Ben Smith confirmed that upon construction of the second lagoon, the first lagoon will be filled in and said that land area from the first lagoon is more valuable as commercial property but the commercial property until the subdivision is developed to 25% for residential use in Phase 1.

Merritt Powell clarified that when the third phase of the subdivision is platted the lagoon will be moved.

Supervisor Jessie Medlin asked what the people in the area have been told about the subdivision changes. Supervisor Medlin asked when do the people think the lagoon will be moved? Ben Smith said that when the lagoon reaches a certain capacity, the State requires developers to move the lagoon.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the Dogwood Lake PUD subject to the lagoon being moved in the second phase, and with changes in the streets as discussed and subject to Payne Lane being brought up to specs with curb and gutter. The **motion passed** by unanimous vote.

## 7. Turo Subdivision Revision

Merritt Powell, Director of the DeSoto County Planning Commission, reminded the Board of Supervisors that they had discussed abandoning Allison Drive when Alden Station Subdivision was developed. Mr. Powell asked how Allison Drive can be abandoned without the plat being revised. Supervisor John Caldwell reminded the Board that when the County agreed to build the road, it was staked off, then the land owners decided they wanted to abandon the road. The Board of Supervisors requested the advice of the Board Attorney on how to abandon Allison

### ITEM C.7, CONTINUED,

Drive. The Board Attorney responded that the abandonment of the road will have to go through the proper channels. In the meantime, engineer, Ben Smith, can shade in the area on the plat

and note that it is to be abandoned. Chancery Clerk, Sluggo Davis, asked if there will be anything other than a Board Order showing that the ownership of the road has returned to the adjoining property owners. Bill Austin said no. Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to begin the abandonment process of Allison Drive, as authorized in Section 65-7-121 of the Mississippi Code, which states that the Board of Supervisors may, upon its own motion, spread upon its minutes to declare any section of the County road system abandoned under certain circumstances. In this instance, the Board of Supervisors did find that the section of roadway does not provide any primary access to occupied properties; traffic on the section of roadway has, for a period of at least 10 consecutive years, been intermittent and of such low volume that no substantial purpose is being served thereby; for a period of at least the five previous consecutive years the County has not maintained this section of roadway as part of the County road system; and it is the Board's opinion that the public interest or convenience does not require this section to remain open to the public. The **motion passed** by a unanimous vote.

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to appoint Supervisor Tommy Lewis and Supervisor Jimmy James as the committee to inspect Allison Drive for possible abandonment of the roadway. The **motion passed** by a unanimous vote.

#### 8. **Emergency Plan for County Buildings**

Supervisor John Caldwell made a motion and Supervisor Eugene Thach seconded the motion to accept and approve the emergency plan for DeSoto County Administration Building and the DeSoto County Courthouse as presented by the director of Civil Defense. The **motion passed** by a unanimous vote. **\*\*See Exhibit C.8.\*\***

### D. **NEW BUSINESS**

#### 8. **Garbage Contract Negotiation - Consultant**

County Administrator David Armstrong said the Board of Supervisors had retained Chip Barton in the past to help with the garbage contract negotiations. Mr. Armstrong said that he would like to request the Board to retain Chip Barton to further advise the County in the garbage contract proposal process. Mr. Armstrong reminded the Board of Supervisors that there will be a pre-bid conference on August 25<sup>th</sup>, and the proposals will be opened on September 25<sup>th</sup>, 1999. Mr. Armstrong said that Mr. Barton will be willing to assist the County at \$100.00 per hour. Mr. Armstrong said that in his opinion Mr. Barton's expertise and experience would make this contract a good use of County money.

Supervisor Eugene Thach asked if the committee is in agreement with this recommendation. Supervisor Jessie Medlin said yes. Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to retain Chip Barton at \$100.00 per hour to help with the garbage contract negotiations. The **motion passed** by a unanimous vote.

#### 9. **Randy Kelly - Workforce Investment Act**

Randy Kelly, Director of Three Rivers Planning and Development District appeared before the Board of Supervisors in connection with the Workforce Investment Act. Mr. Kelly said that Three Rivers is currently serving part of North Mississippi. Three Rivers contracts with community colleges on some programs, including the Summer Youth Work Program. Mr.

### ITEM D.2., CONTINUED,

Kelly said that they have achieved several status levels with their work. He explained that a new law has been developed as the Workforce Investment Act. According to Mr. Kelly, the State government has one duty in this federal enactment and that is to draw the district

boundary. Consequently, DeSoto County is in Area 4. Mr. Kelly said that Three Rivers Planning and Development District is asking DeSoto County to join them and enter into a local agreement that says you would join the Three Rivers area and thereby expand the current area. Mr. Kelly said he also requests the Board of Supervisors pass a resolution appointing someone to the Board of Directors. Mr. Kelly warned that if the Board does not do anything, the Governor will make the appointment for DeSoto County.

County Administrator, David Armstrong, recognized that the current designation is different from the original one. County Administrator, David Armstrong clarified that although Three Rivers has been designated as the physical agent, the community college will be the one stop operator, they will train people in the local community colleges. Mr. Kelly explained that Three Rivers will be responsible for managing the money in the program.

Supervisor John Caldwell asked what Northwest Community College will be asked to do. Randy Kelly answered that the district will be giving them money. They will evaluate individuals and train anyone who wants to go into a training program.

County Administrator, David Armstrong asked when the Board needs to make a decision. Randy Kelly said the Board must make their decision by the end of August. David Armstrong said he is not ready to make a recommendation to the Board on the Workforce Investment Act at this time.

Supervisor Jessie Medlin asked why DeSoto County would want to pull out of our North Delta Planning and Development District. Randy Kelly answered that North Delta Planning and Development District never has been a partner in the job training program in the state and Three Rivers Planning and Development District has been for the last eight years. Supervisor Jessie Medlin asked David Harraway, President of Northwest Community College, what was the difference in what they are doing now and what they will be doing under the Workforce Investment Act. David Harraway responded that their responsibility would not change with the Workforce Investment Act from what they are currently doing. Dr. Harraway explained that their money would not change substantially either. Dr. Harraway said that they have had a good experience with Three Rivers. Dr. Harraway said that Northwest Community College serves eleven counties, so they are going to be working with other physical agencies as well as Three Rivers. However, Dr. Harraway explained, it would help Northwest to have the County go through the same physical agent as paperwork to manage the program is substantial and Northwest would rather serve one agency.

Supervisor John Caldwell said that right now we have a group providing that service. Randy Kelly responded that the Employment Service is designated as a one-stop center in the Workforce Investment Act.

David Armstrong said he does not think there is any question that Three Rivers would do a good job serving DeSoto County, but his concern is that if DeSoto County goes with Three Rivers, two to three local people in the Employment Service office would likely lose their job. Randy Kelly responded if the Community College is not the one-stop shop, they will probably lose twenty jobs. Mr. Kelly said that the Employment Service has historically depended on the Community College to provide training. Mr. Kelly said that there is no reason the Employment Service will not be contracted with in the Workforce Investment Act. Mr. Kelly said it will be up to the Board of Supervisors or their appointees to decide that. Mr. Kelly said that Three Rivers has an established record of service and said the Executive Committee will be composed of twenty-seven members, one from each county.

#### **ITEM D.2., CONTINUED,**

Mr. Kelly said the federal government will give \$9 million in the district. Supervisor Eugene Thach asked what Three Rivers Planning and Development District will do with their \$450,000.00. Randy Kelly said they will use that money to try to keep up with the \$9 million in the district. Supervisor Thach asked what DeSoto County will get through the Workforce Investment Act. Randy Kelly said that other counties have been happy with what they get from

Three Rivers efforts in their county. Mr. Kelly presented the Board of Supervisors with a sample resolution and information on the implementation on the Workforce Investment Act.

David Armstrong said that he would like an opportunity to read that.

Supervisor Tommy Lewis asked if Mr. Kelly could tell him why the federal government changed the designation of DeSoto County in the district. Randy Kelly responded that prior to JTPA (Job Training Participation Act), there was a CETA program. That basically funded eleven different programs. Now the federal government has decided that rather than have all of these different programs, we need to have one program. Mr. Kelly said that if they do not have a job for an individual, they will be given a voucher to go to a Community College. Mr. Kelly said that in the past the Community College has funded these people. Mr. Kelly said the federal government has decided this one-stop program is better than having eleven different programs and Mississippi has already been designated with Community Colleges providing the services.

Supervisor Eugene Thach asked how it was determined that the physical agent would receive 5% of the funds allocated and asked if the Planning and Development District had to submit a budget. Supervisor Thach asked what if it is determined it will take less than 5% to manage the program. Randy Kelly responded that Three Rivers will not be interested in the program for less than 5% of the funding. Supervisor Thach asked what kind of contract Three Rivers will sign.

County Administrator David Armstrong said that he would like an opportunity to look at the resolution more closely. Supervisor John Caldwell said that DeSoto County is often last at being opportunities. Randy Kelly said that DeSoto County relates very closely to Tupelo, Corinth and Senatobia, so there are similarities with other areas in the district.

Supervisor Thach asked if there is a set percentage that will come back to DeSoto County. Supervisor Thach asked how it is decided who gets the \$9 million. Randy Kelly said it goes into a pot. Northwest Community College has seven counties and Northwest has more representation and will likely get more money. Supervisor Tommy Lewis said if Northwest is the one-stop center, what will happen to our Employment Service Office? Randy Kelly said they will be a partner, but I'm not sure to what extent they will participate. Mr. Kelly said the Board is going to have to make a decision and he does not see any reason the Employment Service will not have a part in the Workforce Investment Act. However, they will have to come out and be aggressive in deciding what they can offer and how efficiently they will do so. Mr. Kelly said they will have to meet the work standards of the federal government.

Vivian Berryhill, the State appointed representative of the Workforce Investment Act appeared before the Board and asked to meet with each of the Board members before the next meeting and explain the issues relating to the Workforce Investment Act as they affect DeSoto County. Ms. Berryhill said she has more of the facts and figures and would like to tell the Board what she thinks are some of the key issues relating to the Workforce Investment Act. Ms. Berryhill said that she was going to a meeting later that day in Jackson to further discuss the Workforce Investment Act.

Glenn Brown, Director of North Delta Planning and Development District, said that good questions were raised in the discussion on the Workforce Investment Act. Mr. Brown said that Tate County took matter under advisement until DeSoto County decides what they are going to

## **ITEM D.2., CONTINUED,**

do. Mr. Brown stressed the importance of having a representative at the meetings when they decide how to give out the money. Mr. Brown said you are going to have to make sure whoever you appoint is going to be an active member and participate in the meetings. Mr. Brown explained that the Board of Supervisors will approve who is going to be the one-stop center.

Bobbye Oliver and Jimmy Jaynes of the Employment Office said they were coming before the Board today as a Employment Service employee and as a citizen of this County. Ms. Oliver said she would like to commend the Board of Supervisors for considering the issue carefully and said that she would like to recommend the Board going with the Delta region as their area. Ms. Oliver said that at the July 9<sup>th</sup> meeting, a motion was on the floor to put DeSoto County in the Delta area, but because of an error in parliamentary procedure, the motion was not heard.

Supervisor Eugene Thach asked how many will be in the Delta region. Bobbye Oliver said 16, if DeSoto and Tate Counties go, and 18 if two other counties south of DeSoto County also decide to go with Delta Region.

Ms. Oliver explained that the Delta region already has \$13 million in that region without the other four potential counties' money. Ms. Oliver explained that this is a newly formed SDA. She said that this area will have to decide who the physical agency will be. Ms. Oliver compared that Three Rivers had already made the decision of who the physical agent will be in DeSoto County if the County goes with that district. David Armstrong said who is likely to be the physical agent in the Delta region. Ms. Oliver said that the Delta Council is working to become the physical agent at this time and said that the DeSoto County Board of Supervisors already know many of the people in the Delta Council, therefore, the needs of DeSoto County are already known in that area. Ms. Oliver said that last week Mr. Kelly made a point that he has two votes already on the one-stop center to decide where the one-stop center will be located. If the County has a person from the Board of Supervisors representing DeSoto County, that will be one vote only.

County Administrator, David Armstrong asked Ms. Oliver to explain the people who would be losing their jobs. Bobbye Oliver explained that the Employment Service will be a partner according to Randy Kelly, but that is through the Waggoner/Kaiser Act, which mandates that the Employment Service has to be a partner. Ms. Oliver said in other forums Mr. Kelly is reluctant to commit a partnership with the Employment Service. Ms. Oliver said that the Tupelo office spends \$400,000 in the Tupelo area for on the job training and this past year the Three Rivers Planning and Development District contributed only \$30,000 to their efforts.

Supervisor Eugene Thach asked what makes the Employment Service think that your shop would be protected in the Delta Region. Bobbye Oliver responded that there is no assurance that they would be protected in the Delta Region. However, there are three components under the Workforce Investment Act that must be met - Core, Intensive, and Training. The Employment Service is already doing two levels of the service and they provide on the job training. Ms. Oliver clarified that she is not here to take anything from the colleges and said they are the best for the training, but WIA is not a training program. Ms. Oliver said that the Employment Service interest is only to be a one-stop shop. Supervisor Thach asked who will decide who would be the physical agent. Bobbye Oliver said that if the Employment Service is designated as the one-stop provider, they will put a one-stop service everywhere you see the letter T on the handout in the district. David Armstrong asked where that would be in DeSoto County. Bobbye Oliver said Hernando. Ms. Oliver explained that to comply with the law, we have to move together. Ms. Oliver said that she can house this area in the building which see currently operates from. Ms. Oliver said that they already have a training staff, a facility, computers, ample parking and infrastructure to handle the traffic in the program.

## **ITEM D.2., CONTINUED,**

David Armstrong confirmation on the deadline date. Bobbye Oliver said that as of last Friday, the deadline was extended to October 15<sup>th</sup>. Bobby Oliver said that she would recommend the Board deciding where to go, rather than letting the Governor decide for the County. Ms. Oliver explained that if the County chooses to go in the Delta Region, a request will have to be sent to the Governor to redesignate DeSoto County in that area. Ms. Oliver confirmed that the Council has asked to be the physical agent.

Supervisor Thach said that the Board will have to decide what is best for the County and not base their decision on one or two jobs.

Supervisor John Caldwell speculated that DeSoto County would have some common ground with the I-55 corridor if they were located in the same district as Tunica County.

Supervisor Tommy Lewis asked how the money is divided. Bobbye Oliver said that would be decided at the meeting that Ms. Berryhill was going to.

Supervisor Jessie Medlin asked when something will come in writing. Bobbye Oliver said the Board should hear something soon.

#### **10. Doris Jobe - Request to Replace Trees**

Supervisor John Caldwell notified the Board of Supervisors that the spray truck in the Road Department sprayed trees and bushes in an area where there were no weeds. Some of the land owner reported that ornamental trees and bushes had been lost. Supervisor John Caldwell said that he had requested the County Horticulturist, Joy Anderson, to look at the spot and assess the damage. Ms. Anderson said that there was some damage and that some sort of restitution should be made. Supervisor Caldwell presented the Board with a letter from one of the landowners, Ms. Doris Jobe, in connection with this situation and suggested the Board hire the Austin Law Firm to address claims on the loss of property. The Board Attorney said that there is a statute that allows the County to address claims on the loss of property. The Board Attorney said that there is a statute that allows the County to pay such claims and to protect the employees who did the damage.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to hire Austin Law Firm to address claims in connection with the loss of plants due to spraying by the Road Department. The **motion passed** by a unanimous vote. **\*\*See Exhibit D.3\*\***

#### **11. Appointment YMD - District 3**

Supervisor Jimmy James presented a letter of resignation from Tommy Koehler for the YMD Joint Water Management District Commission. Supervisor Jimmy James made the motion and Supervisor Tommy Lewis seconded the motion to accept the resignation of Tommy Koehler and to request a resolution be sent to Mr. Koehler in connection with his service on the Yazoo Mississippi Delta Joint Water Management District Commission. The **motion passed** by unanimous vote.

Supervisor Jimmy James made the motion and Supervisor Tommy Lewis seconded the motion to appoint Robert I. Abbay, IV., P.O. Box 384, Walls, MS as the District 3 appointee to the YMD Joint Water Management District Commission. The **motion passed** by unanimous vote. **\*\*See Exhibit D.4\*\***

### **ITEM D.5., CONTINUED,**

#### **12. Communicare - Employee Assistance Program**

The County Administrator, David Armstrong, reported to the Board of Supervisors that regarding item number 421-705 in the budget, for Communicare, the current budget is \$162,225.00, they requested a budget of \$173,000.00 this year and he is prepared to recommend a budget of \$165,000.00.

Mr. Armstrong said that in working with Communicare, he has negotiated a benefit for County



employees where Communicare will offer 5 free counseling sessions. Mr. Armstrong said that he estimates this to be an extra \$400.00 in benefits for County employees. Mr. Armstrong said that the counseling will not cover spouses and children, but rather employees themselves.

Supervisor Jessie Medlin asked if this will help with lunacies. Sluggo Davis said a couple of years ago a state law changed that mandates that Communicare approve and access the lunacies.

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to take the offer of additional benefits from Communicare under advisement. The **motion passed** by unanimous vote. **\*\*See Exhibit D.5.\*\***

**13. Petition for Reduction of Tax Assessments**

Supervisor Jimmy James made a motion and Supervisor John Caldwell seconded the motion to approve the petitions for reduction of tax assessments and notice to increase the assessment of real and personal property as recommended by the DeSoto County Tax Assessor. The **motion passed** by a unanimous vote. **\*\*See Exhibit D.6.\*\***

**14. Budget Amendment - Sheriff’s Department (2)**

In accordance with the provisions set forth in Section 19-11-11 of the Mississippi Code, the Board of Supervisors did discuss an amendment to the budget for the Fiscal year beginning October 1, 1998, and ending September 30, 1999. At the recommendation of the Comptroller, Dale Thompson, Supervisor Jimmy James made the motion and Supervisor John Caldwell seconded the motion to approve the budget amendment for the Sheriff’s Department as follows:

Lower	Patrol Services	202-433	\$3500.00
Increase	Repair Parts	202-681	\$1000.00
Increase	Other Equipment	202-935	\$1000.00
Increase	Furn & Fixtures	220-934	\$1050.00
Increase	Radios	220-937	\$ 450.00

This Budget Amendment is being prepared to purchase cameras and radios for the juvenile areas, four chairs and crime scene kits.

Lower	Signs	001-200-639	\$ 400.00
Lower	Training	001-202-587	\$ 500.00
Lower	Gas	001-202-671	\$ 2000.00
Lower	NCIC	001-220-553	\$ 500.00
Lower	Clearance	001-220-654	\$ 1500.00
Increase	Printing	001-200-523	\$ 900.00
Increase	Other Equipment	001-202-935	\$ 3500.00
Increase	Radios	001-220-937	\$ 500.00

**ITEM D.7., CONTINUED,**

These will be to purchase a boat, trailer, motor, hand held radios, equipment for digital cameras, and striping for patrol cars. The **motion passed** by a unanimous vote. **\*\* See Exhibit D.7.\*\***

**15. Request for Victim’s Assistance for Medical Bill**

As authorized by Section 99-37-25 of the Mississippi Code and as recommended by Sherry Franks, Victim's Assistance Coordinator in the District Attorney's Office, Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded them motion to approve the reimbursement of medical expenses incurred by a victim as a result of a sexual assault which incurred in DeSoto County on April, 1999 with the reimbursement being paid directly to Baptist Memorial Hospital-DeSoto. The **motion passed** by a unanimous vote. **\*\*See Exhibit D.8.\*\***

## **9. Budget Discussion**

David Armstrong said the budget is tight and he does not know anyone else who will come before the Board to discuss an increase in their budget other than Jim Anderson and Mitzi Woods. The County Administrator said that if the Board approves the additional \$12,500.00, and the \$35,000.00 for the Library, the budget will have to be cut somewhere else.

### **a. Mid State Opportunity - Mitzi Wood**

Mitzi Wood of Mid-State Opportunity appeared before the Board of Supervisors recommended cuts to her budget. Ms. Woods told the Board that she did request An increase in her budget this year. Ms. Woods told the Board of Supervisors when the buses were required to be bought in Mid State Opportunity's name, Mid State was required to take out a liability insurance policy. The cost of that policy, the cost of a substitute driver to drive the buses when current drivers are on vacation or out sick, and a raise for the current drivers to keep them working through Mid State are the increases requested in the budget.

Supervisor Jessie Medlin asked if North Delta pays anything to Mid State to deliver the meals. Mitzi Woods said that North Delta pays ten dollars per day which does not even pay the bus drivers.

Supervisor John Caldwell asked if Mid State got an increase from the State. Mitzi Woods said no, the State gives their organization no money at all and said they operate on a federal allocation.

County Administrator, David Armstrong asked what about the other counties increase. Mitzi Woods said DeSoto County and Tunica County are the only counties who give any extra money because they are the only counties who receive any extra services.

Supervisor Jessie Medlin asked when Mid State will get rid of the old buses. Mitzi Woods said that she has asked North Delta about that and it is up to North Delta to remove the buses.

Supervisor Eugene Thach clarified that the \$12,500.00 was cut out of the budget and that money would have been used to give the current bus drivers raises, cover the cost of the additional liability insurance and the cost of a substitute driver. Mitzi Woods agreed. Ms.

## **ITEM D.9.a., CONTINUED,**

Woods discussed the number of DeSoto County residents served by Mid-State. The Board of Supervisors recognized the contribution of Mid State to DeSoto County and said they support the efforts of Mid State. No motions were made nor votes taken in this portion of the minutes. **\*\*See Exhibit D.9.a.\*\***

### **b. Library - Jim Anderson**

Jim Anderson, Director of the First Regional Library and a group of library employees and supporters attended the Board of Supervisors meeting to discuss the annual budget. Mr. Anderson said that his group appreciates the opportunity to speak with the Board. Mr. Anderson used a lap top computer and projector in his presentation to the Board of Supervisors and said this equipment was obtained through a grant from the State. Mr. Anderson said that his purpose in addressing the Board was to discuss cuts that have been made in his proposed budget for FY2000.

Mr. Anderson said that in FY98, the First Regional Library checked out 1,170,657 items from its 13 branch libraries. Mr. Anderson said that this is more than any other library system in the state and compares at almost double the state average. Further, Mr. Anderson explained that the cost of circulation in the First Regional Library is about half the average cost of circulation based on the state average.

Supervisor Eugene Thach asked if DeSoto County libraries offer more services than other libraries. Mr. Anderson said that all libraries offer pretty much the same thing.

Jim Anderson attributed the success and streamlining that enables the First Regional Library System to provide this high rate of circulation at the lowest cost of circulation to the workers in the library. Mr. Anderson said that each employee in the First Regional Library system checks out about twice as many items as do workers in other libraries across the State. The First Regional Library is the largest library system in the State and DeSoto County is at the top of the district. Mr. Anderson said that the Library is continually trying to provide new services to meet the needs of the people. Jim Anderson said that the State of Mississippi ranks last in the nation of the number of families who have a PC in their home and access to the Internet. This service is provided in the library. Therefore, there is a need for funding. Often, research information is only available on the Internet.

Mr. Anderson explained that until salaries are raised for employees in the library, they will have a hard time competing for competent employees. Mr. Anderson said that in his opinion the increased usage alone justifies the budget request. Mr. Anderson explained that the library's needs are immediate and said the budget was presented with an increase of \$75,000.00. Mr. Anderson said that the proposed budget to the Board of Supervisors includes an increase of \$34,000.00 and that is simply not enough to keep up with the increase in services that the First Regional Library is providing to DeSoto County. Mr. Anderson appealed to the Board of Supervisors to take it upon themselves to provide the First Regional Library with financial resources that are needed to continue to provide services.

Supervisor John Caldwell how First Regional Library ranks in funding. Jim Anderson responded that per person, the First Regional Library ranks at the state average.

Supervisor John Caldwell asked about the extended hours discussed for the Regional Libraries earlier. Jim Anderson said that without the increase that won't happen. Mr. Anderson said that

#### **ITEM D.9.b., CONTINUED,**

they cannot open on Sunday and right now the Southaven Branch is open until 8:00 Monday and Tuesday and until 6:00 Wednesday, Thursday and Friday. Hernando opens at 9:30, Southaven at 10:00 and the others at 10:00. Mr. Anderson said they would like to extend the hours more, but funding is not available to do so.

The Board of Supervisors discussed the FY2000 budget. The County Administrator David Armstrong

**Budget FY2000**

County Administrator David Armstrong said that there is a 9.1% increase in assessed value for the tax year FY2000. However, a 7% increase was predicted for the budget revenues. The Board of Supervisor discussed the proposed budget. The proposed budget was discussed including, but not limited to the following:

1.                    **Board of Supervisors**

David Armstrong reported a 3% increase in this budget.

1.                    **Circuit Clerk**

David Armstrong reported that the Circuit Clerk’s budget decreased because she did not claim fees for records preservation.

1.                    **Tax Assessor**

Mr. Armstrong said the increase in this budget is for an extra person. Supervisor Eugene Thach suggested waiting until someone is hired to allocate the money in this budget. In addition the reason for the increase is for the reappraisal, and Bill Bryant has said he is comfortable with the \$240,000 budget. Also, that expenditure will not qualify for the state development bank.

1.                    **Tax Collector**

According to David Armstrong no additional personnel are in this budget and there is a 5% increase.

1.                    **Planning Commission**

Mr. Armstrong said there is a 5% increase for current employees and one new field person.

1.                    **Feasibility Study**

Mr. Armstrong said line item 592 is for updating the 5 year master plan.

The Board of Supervisors discussed budgeting for a comprehensive plan.

There is nothing built in the budget for GIS.

**ITEM D.10., CONTINUED,**

**10. Personnel - Extension Service**

At the recommendation of Art Smith, County Agent, Supervisor Eugene Thach made a motion and Supervisor Jimmy James seconded the motion to approve refilling the position of secretary

in the County Extension Service with Debby Rouse and to fund DeSoto County's portion of the salary at \$4,800.00 a year with a start date of September 1, 1999 or later. The **motion passed** by a unanimous vote.

**11. Inventory Disposition - Metro Narcotics**

Vanessa Lynchard presented an inventory disposal request from Metro Narcotics to dispose of a Regency Radio that was left off of a previous inventory disposal request. Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded a motion to approve the disposal of Property Number 11025, Serial Number 57-A19352, a Regency Radio that was sold at auction. The **motion passed** by a unanimous vote. **\*\* See Exhibit D.11.\*\***

**12. Approval of Late Bill - Engineering Associates, Inc.**

At the request of Vanessa Lynchard, Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion to approve a late bill submitted by Engineering Associates in the amount of \$1,367.00 and to authorize the clerk to write the check. The motion passed by a unanimous vote. **\*\*See Exhibit D.12.\*\***

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to recess until 1:30. The **motion passed** by a unanimous vote.

**13. Approval of Amendment to Contract with WEI/EAI for Implementation of Sewer Program**

The County Administrator, David Armstrong and Jim Hust of Waggoner Engineering appeared before the Board of Supervisors to request approval of contract amendment no. 2, in connection with the Waste Water System Master Plan between DeSoto County and Waggoner Engineering/Engineering Associates. Mr. Hust said that this agreement authorizes WEI/EAI to develop the NEPA schedule. Mr. Hust said that this is part of the NEPA document. Mr. Hust said that this will get the NEPA approved and sent and will include all work associated with the NEPA document.

The Board of Supervisors discussed the scope of work in amendment no. 2 and asked details about how far this agreement will take the Board into the process. The Board Attorney, Bill Austin, said the Board could attach language to the approval of the document stating that any cost of professional services that would be billed as a special service could be at the same rate as approved through the grant.

Jim Hust explained that the purpose of this amendment is to streamline the review process, maximize the limited financial resources and optimize the schedule for implementation of the documents in connection with grants for the wastewater program.

Supervisor Jimmy James made the motion and Supervisor Jessie Medlin seconded the motion to approve the amendment no. 2 to the professional services agreement between DeSoto County and Waggoner Engineering Inc./Engineering Associates, Inc. and to authorize the Board President to sign amendment no. 2., which includes advance planning, including:

**ITEM D.13, CONTINUED,**

- Planning & Mapping
- A. 201 Facilities Plan
  - B. NEPA Analysis and Documentation
  - C. Digital Topographic Mapping
  - D. Digital Topography with Planometric Coverages
  - E. Ownership and Land Record Database

Engineering Design

- A. Preliminary Engineering Design
- B. Final Design
- C. Additional Services
- D. Provisions for Additional Services

The **motion passed** by unanimous vote. **\*\*See Exhibit D.13\*\***

**14. Approval to Pay Election Workers**

At the request of Comptroller Dale Thompson, Supervisor John Caldwell made a motion and Supervisor Eugene Thach seconded the motion to authorize the clerk to write checks to pay the election workers for work on August 3, 1999. The **motion passed** by a unanimous vote. **\*\*See Exhibit D.14.\*\***

Supervisor Eugene Thach informed the Board that he had spoken to Kenny Gunn about placing no parking signs in yards of residents living near the voting precincts. Supervisor Jessie Medlin said that fans are needed at certain polls. Supervisor Medlin said that he would let Jim Bearden know about the fans.

**15. Administration Building-Approval of Change Order No. 3**

Vanessa Lynchard presented the Board of Supervisors with a detail of previously approved change orders resulting in a credit to the original contract of \$5,538.00. Vanessa also presented a list of items in which a change order is being requested as follows:

		1.	Add to add telephones in Emergency Mgmt.,	+	
			2,118.00		
	Planning Comm. break room, Planning Comm. copy room, & County Admin. copy room				
2.	Add to change data lines from Cat 5 to Level 7	+	7,312.00		
3.	Add to make computer Room #355, 2 hour fire protected	+	2,223.00		
2.	Deduct to delete 6 fixtures at elevator door	-	277.00		
3.	Add for shelving in Tax Collector's office	+	4,824.00		

TOTAL REQUESTED CHANGE ORDER

Supervisor Eugene Thach said that he did not agree with approving change orders to the Administration Building as he was not comfortable that the County could afford the change.

Supervisor John Caldwell said that he felt the architect should have picked up on the need for some of the items at the beginning of the project and he too had reservations about adding to the contract at this time.

**ITEM D.15, CONTINUED,**

The Board of Supervisors discussed the items requested in the change order. Vanessa brought it to the Board's attention that Item number 5 was not recommended for approval by Jim Bearden, Director of Operations and Maintenance, as he felt the current shelving could be

moved to the new building. Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to execute change order number 3 in connection with the DeSoto County Administration Building in the amount of \$16,200.00. The **motion passed** by a unanimous vote. **\*\* See Exhibit D.15.\*\***

#### **16. Approval of Resolution to Return 4-Way Stop to Goodman Road, East of Centerhill**

Supervisor Jessie Medlin said that Goodman Road when Goodman Road was improved east of Centerhill Road a 4-way stop sign was replaced by a 2-way stop sign at Goodman and Centerhill Roads. Supervisor Medlin said that although the state determines signilization based on traffic counts, the traffic count in this area is already high and pending developments will no doubt increase the usage in the area even more. The Board of Supervisors agreed.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to send a resolution to the Mississippi Department of Transportation requesting a traffic light be added at the intersection of Goodman Road and Centerhill Road. The **motion passed** by a unanimous vote. **\*\*See Exhibit D.16\*\***

### **E. EXECUTIVE SESSION**

The “Executive Session” portion of this meeting is presented under the portion of minutes called “Executive Session.

### **F. OTHER ISSUES**

#### **1. EMS Director Bobby Storey**

##### **a. Ambulance Service Mutual Aid to Marshall County**

EMS Director Bobby Storey presented a letter to the Board of Supervisors from the Marshall County Board of Supervisors requesting that DeSoto County continue to run mutual aid for Marshall County. Mr. Storey said that the request was due to the private ambulance service not fulfilling the contract it has with Marshall County. Mr. Storey said he told the Marshall County Board of Supervisors that he would not be a taxi service but would respond to major calls only.

Supervisor Tommy Lewis asked how EMS would decide which calls to take. Mr. Storey said it would be on a call-by-call basis. Supervisor Eugene Thach said that Marshall County should get the problems resolved with the private ambulance service so that DeSoto County would not be abused. Supervisor Thach said that he thinks DeSoto County should get out of Marshall County as soon as possible. Supervisor John Caldwell agreed with Supervisor Thach. County Administrator David Armstrong asked how much revenue DeSoto County has lost on calls in Marshall County. Bobby Storey said twenty calls times \$400.00 per call.

The Board of Supervisors discussed the issue and said Bobby Storey did the right thing by bringing the problem to the Board of Supervisors.

EMS Director Bobby Storey said that he would like to continue the mutual aid to Marshall County on a call-by-call basis for now and give Marshall County a three month notice to allow them time to resolve the problems with the private ambulance service. The Board of

#### **ITEM F.1.a, CONTINUED,**

Supervisors agreed to continue mutual aid indefinitely with Bobby Storey using his discretion about the calls that DeSoto County answers and to report back to the Board of Supervisors before cutting ties completely. **\*\*See Exhibit F.1.a.\*\***

b. **Fire Truck for Nesbit and Love**

EMS Director Bobby Storey requested approval of the Board of Supervisors to send an application requesting participation in the Rural Fire Truck Acquisition Program for Nesbit and Love Volunteer Fire Departments. Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion giving approval to Bobby Storey to send the application for Nesbit and Love to participate in the Rural Fire Truck Acquisition Program. The **motion passed** by a unanimous vote. **\*\*See Exhibit F.1.b.\*\***

2. **Roads - Old Highway 61 and Blythe**

Supervisor Jimmy James asked that a traffic count be taken at Old Highway 61 and Blythe Road in DeSoto County. Supervisor Jimmy James made a motion and Supervisor Tommy Lewis seconded the motion to instruct the Road Manager to take a traffic count at Old Highway 61 and Blythe Road. The motion passed by a unanimous vote.

2. **Closeout Package for Nesbit Water Association**

Vanessa Lynchard presented a closeout package in connection with the CDBG Grant for the Nesbit Water Association as requested by Glen Brown of North Delta Planning and Development. Ms. Lynchard said that no money will be requested and that the closeout package verified the steps of the project.

Supervisor Tommy Lewis made a motion and Supervisor John Caldwell seconded the motion to accept the closeout package for the Nesbit Water Association. The **motion passed** by a unanimous vote. **\*\*See Exhibit F.3.\*\***

**4. Budget Amendments**

a. **Buildings and Grounds**

Vanessa Lynchard presented a budget amendment from Building and Grounds requesting funds being transferred to purchase a computer for Kenny Evans in the amount of \$3,000.00. Ms. Lynchard said that Mr. Evans does not have a computer at this time.

Supervisor John Caldwell asked if Larry Woods, Director of Data Processing would look at the request. Supervisor Tommy Lewis said to check with Larry Woods to see if one of the computers that is going to be surplussed could be transferred to Mr. Woods. **\*\*See Exhibit F.4.a.\*\***

**b. Personnel**

Vanessa Lynchard presented a budget amendment request from Personnel requesting funds being transferred to purchase a computer for Ginger Allison in the amount of \$2,000.00. The Board of Supervisors held the item over to obtain the Director of MIS, Larry Wood's approval. **\*\*See Exhibit F.4.b.\*\***

**ITEM F.5, CONTINUED,**



5.     **Homesteads**

Supervisor Eugene Thach made the motion and Supervisor Jimmy James seconded the motion to approve the petition to adjust homestead exemption supplemental roll as presented by the Chancery Clerk. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----Yes  
Supervisor Eugene Thach-----Yes  
Supervisor Jimmy James-----Yes  
Supervisor John Caldwell-----Absent  
Supervisor Tommy Lewis-----Yes

**\*\*See Exhibit F.5\*\***

6.   **Tax Exemptions - Landau Uniforms**

Supervisor Tommy Lewis made the motion and Supervisor Jimmy James seconded the motion to accept the finally approved tax exemption for Landau Uniforms into the minutes and to approve a resolution to make the State Tax Commission’s approval part of the minutes. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Eugene Thach-----YES  
Supervisor Jimmy James-----YES  
Supervisor John Caldwell-----ABSENT  
Supervisor Tommy Lewis-----YES

Supervisor Eugene Thach made the motion and Supervisor Jimmy James seconded the motion to recess until Thursday, August 19, 1999 at 9:00 a.m. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----Yes  
Supervisor Eugene Thach-----Yes  
Supervisor Jimmy James-----Yes  
Supervisor John Caldwell-----Absent  
Supervisor Tommy Lewis-----Yes

THIS the 16th day of August, 1999, these minutes have been read and approved by the DeSoto County Board of Supervisors.

\_\_\_\_\_  
Jessie L. Medlin, President  
DeSoto County Board of Supervisors